

109TH CONGRESS
1ST SESSION

H. R. 1012

To establish a commercial truck highway safety demonstration program in the State of Maine, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 1, 2005

Mr. MICHAUD (for himself and Mr. ALLEN) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish a commercial truck highway safety demonstration program in the State of Maine, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Commercial Truck
5 Highway Safety Demonstration Program Act of 2005”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) Public safety on the highways of the United
9 States is a paramount concern of all who use the
10 highways and all who prescribe public policy for the

1 use of those highways, including public policy on the
2 operation of heavy commercial trucks on highways.

3 (2) Federal highway funding law effectively im-
4 poses a limit of 80,000 pounds on the weight of ve-
5 hicles permitted to use Interstate System highways.

6 (3) The administration of this law in Maine has
7 forced heavy tractor-trailer and tractor-semitrailer
8 combination vehicles, traveling into Maine from
9 neighboring States and Canada, to divert onto small
10 State and local roads where higher vehicle weight
11 limits apply under Maine law.

12 (4) The diversion of those vehicles onto such
13 roads causes significant economic hardships and
14 safety challenges for small communities located
15 along those roads.

16 (5) Permitting heavy commercial vehicles, in-
17 cluding tanker trucks carrying hazardous material
18 and fuel oil, to travel on Interstate System highways
19 in Maine—

20 (A) would enhance public safety by reduc-
21 ing—

22 (i) the number of heavy vehicles that
23 use town and city streets in Maine; and

24 (ii) as a result, the number of dan-
25 gerous interactions between those heavy

1 vehicles and such other vehicles as school
2 buses and private vehicles; and

3 (B) would reduce the net highway mainte-
4 nance costs in Maine because the Interstate
5 System highways, unlike the secondary roads of
6 Maine, are built to accommodate heavy vehicles
7 and are, therefore, more durable.

8 **SEC. 3. DEFINITIONS.**

9 In this Act, the following definitions apply:

10 (1) COVERED INTERSTATE SYSTEM HIGH-
11 WAY.—

12 (A) IN GENERAL.—The term “covered
13 Interstate System highway” means a highway
14 within the State of Maine that is designated as
15 a route on the Interstate System, except as pro-
16 vided in subparagraph (B).

17 (B) EXCEPTION.—The term does not in-
18 clude any portion of a highway that, as of the
19 date of enactment of this Act, is exempted from
20 the requirements of section 127(a) of title 23,
21 United States Code, by the last sentence of
22 such section.

23 (2) INTERSTATE SYSTEM.—The term “Inter-
24 state System” has the meaning given that term in
25 section 101(a) of title 23, United States Code.

1 **SEC. 4. MAINE TRUCK SAFETY DEMONSTRATION PROGRAM.**

2 The Secretary of Transportation shall carry out a
3 program, in the administration of this Act, to demonstrate
4 the effects on the safety of the overall highway network
5 in the State of Maine that would result from permitting
6 vehicles described in section 5(b) to be operated on the
7 Interstate System highways within the State.

8 **SEC. 5. WAIVER OF HIGHWAY FUNDING REDUCTION RELAT-**
9 **ING TO WEIGHT OF VEHICLES USING INTER-**
10 **STATE SYSTEM HIGHWAYS.**

11 (a) PROHIBITION RELATING TO CERTAIN VEHI-
12 CLES.—Notwithstanding section 127(a) of title 23, United
13 States Code, the total amount of funds apportioned to the
14 State of Maine under section 104(b)(1) of such title for
15 any period may not be reduced under such section 127(a)
16 on the basis that the State of Maine permits a vehicle de-
17 scribed in subsection (b) to use a covered Interstate Sys-
18 tem highway.

19 (b) COMBINATION VEHICLES IN EXCESS OF 80,000
20 POUNDS.—A vehicle referred to in subsection (a) is a vehi-
21 cle having a weight in excess of 80,000 pounds that—

22 (1) consists of a 3-axle tractor unit hauling a
23 single trailer or semitrailer; and

24 (2) does not exceed any vehicle weight limita-
25 tion that is applicable under the laws of the State
26 of Maine to the operation of such vehicle on high-

ways in Maine not on the Interstate System, as such laws are in effect on the date of enactment of this Act.

(c) EFFECTIVE DATE AND TERMINATION.—

(1) EFFECTIVE DATE.—

(A) DATE OF SATISFACTION OF ADMINISTRATIVE CONDITIONS BY MAINE.—The prohibition in subsection (a) shall take effect on the date on which the Secretary of Transportation notifies the Commissioner of Transportation of the State of Maine, in writing, that—

(i) the Secretary has received the plan described in paragraph (1) of section 6; and

(ii) the Commissioner has established a highway safety committee as described in paragraph (2) of section 6 and has issued rules and procedures for the collection of highway safety data as described in paragraph (3) of section 6.

(B) PERMANENT EFFECT.—After taking effect, the prohibition in subsection (a) shall remain in effect unless terminated under paragraph (2).

1 (2) CONTINGENT TERMINATION.—The prohibi-
2 tion in subsection (a) shall terminate 3 years after
3 the effective date applicable under paragraph (1) if,
4 before the end of such 3-year period, the Sec-
5 retary—

6 (A) determines that—

7 (i) operation of vehicles described in
8 subsection (b) on covered Interstate Sys-
9 tem highways has adversely affected safety
10 on the overall highway network in Maine;
11 or

12 (ii) the Commissioner has failed to
13 use the highway safety committee as de-
14 scribed in paragraph (2)(A) of section 6 or
15 to collect data as described in paragraph
16 (3) of section (6); and

17 (B) publishes the determination, together
18 with the date of the termination of the prohibi-
19 tion, in the Federal Register.

20 (d) CONSULTATION REGARDING TERMINATION FOR
21 SAFETY.—In making a determination under subsection
22 (c)(2)(A)(i), the Secretary shall consult with the highway
23 safety committee established by the Commissioner in ac-
24 cordance with section 6.

1 **SEC. 6. RESPONSIBILITIES OF THE STATE OF MAINE.**

2 For the purposes of section 5, the State of Maine sat-
3 isfies the conditions of this section if the Commissioner
4 of Transportation of the State of Maine—

5 (1) submits to the Secretary of Transportation
6 a plan for satisfying the conditions set forth in para-
7 graphs (2) and (3);

8 (2) establishes and chairs a highway safety
9 committee that—

10 (A) the Commissioner uses to review the
11 data collected pursuant to paragraph (3); and

12 (B) consists of representatives of—

13 (i) agencies of the State that have re-
14 sponsibilities related to highway safety;

15 (ii) municipalities of the State;

16 (iii) organizations that have evalua-
17 tion or promotion of highway safety among
18 their principal purposes; and

19 (iv) the commercial trucking industry;

20 and

21 (3) collects data on the net effects that the op-
22 eration of vehicles described in section 5(b) on cov-
23 ered Interstate System highways has on the safety
24 of the overall highway network in the State, includ-

- 1 ing the net effects on single-vehicle and multiple-ve-
- 2 hicle collision rates for such vehicles.

